

Statement of
Lenise Lago
Deputy Chief, Business Operations
U.S. Forest Service, Washington Office, National Forest System
U.S. Department of Agriculture before the
House Committee on Oversight and Government Reform
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Regarding

Examining Sexual Harassment and Gender Discrimination at the U.S. Department of Agriculture

Chairman Chaffetz, Ranking Member Cummings, and members of the Committee: Thank you for the opportunity to discuss the U.S. Department of Agriculture, Forest Service, efforts to eliminate sexual harassment.

The Forest Service has worked diligently over the last five years to make meaningful progress toward a workplace where all employees are valued, safe and respected. We do not tolerate harassment in the workplace including sexual harassment and we take all complaints seriously. When we learn of harassment allegations, we take appropriate measures including: instituting interim measures to ensure employee safety, conducting an inquiry or investigation, and taking corrective action, when appropriate.

We continue to strive to improve our Equal Employment Opportunity (EEO) program. In 2016, three complaints alleging sexual harassment were raised, and the agency received 48 complaints based on gender, the lowest level in the last 5 years. We currently have approximately 40,000 employees. While there are positive trends, we continue to strive towards greater improvement, both with regard to our EEO program and a work environment free of harassment.

We also are making very good progress in increasing the number of women in the Forest Service, and in leadership positions. Women comprise 35 percent of our workforce, and in 2016, 50 percent of the top executive leadership positions were held by women. Approximately half of our total workforce is engaged in fire, and both the national director, and her supervisor, the Deputy Chief of State and Private Forestry, are women.

Allegations involving criminal violations including physical and sexual assaults are immediately referred to the appropriate law enforcement for investigation. Other serious types of non-criminal misconduct are investigated using professionally trained and certified investigators and standardized processes and procedures designed to protect victims while also affording the accused all due process required by law. Other allegations of misconduct are handled through management under the guidance and oversight of our trained Employee Relations staff.

In September 2016, as part of a continued commitment to improve the work environment, the Forest Service approved an amended anti-harassment policy to strengthen efforts to eliminate harassment in the workplace. All agency employees have clear direction on anti-harassment policy, and they are now empowered with additional resources to create and maintain a positive,

safe work environment. I would like to highlight two new requirements that further reinforce management accountability for a workplace free of harassment. First, under the amended policy, management is required to notify designated officials within 24 hours of receiving a report of sexual harassment. Agency-wide awareness of this reporting policy will give assurance that Agency leadership will act on sexual harassment reports and support the reporting employee. Second, designated officials receiving a report of sexual harassment are required to initiate an inquiry or investigation of an alleged incident within 3-duty days, and complete it within 14-duty days.

The core components of the anti-harassment policy are:

- Including all forms of harassment, not just those prohibited by the law or governed by the EEOC and federal regulation.
- Establishing notification, reporting, and tracking requirements for cases alleging harassment. Notification requirements for witnesses and managers are now mandatory.
- Providing and maintaining a confidential reporting process consistent with legal requirements, along with clear guidelines for employees alleging harassment or employees who witness harassment.
- Instituting specific requirements and parameters for supervisors and managers to conduct mandatory inquiries and request subsequent formal investigations into allegations of harassment.
- Ensuring those found to have engaged in harassment are held accountable for their actions.

Training

The Forest Service partnered with the contractor Employment Learning Innovations (ELI) to develop a customized, Forest Service specific, Civil Treatment for Managers course which was offered nation-wide in 2014 and continues to be offered. The course offers proactive training to develop skills necessary for early intervention, based on real life scenarios typical of a field based organization. In Region 5 alone, more than 1,000 supervisors and managers, including leaders of fire units, have completed this training since 2014. We are also piloting a similar course called *Civil Treatment for Employees*, which we plan to provide to all employees.

Specific Prevention of Sexual Harassment Training is conducted in Region 5. All employees in the region are required to attend this in-person training on an annual basis. In addition, a new employee orientation for the fire apprentice program has also helped to shape positive change. This orientation was delivered to an estimated 250 participants. The primary audience is entry level firefighters who were hired through the National Interagency Joint Apprenticeship Program.

The Forest Service also holds annual Human Resource Specialist training as part of our wildland fire training. The Human Resource Specialists are trained in effective handling of allegations of misconduct, including harassment and misconduct of a sexual nature. They are the primary points of contact on any fire for these types of personnel issues.

USDA

The Forest Service is partnering with other offices within USDA and the federal government to make meaningful progress toward a workplace where all employees are valued, safe and respected. The Office of the Assistant Secretary for Civil Rights developed a Department-wide certification process to ensure that all USDA employees have read and understand the Departmental anti-harassment policy. The Forest Service took the lead in piloting the certification process, and the rest of USDA followed suit and implemented that process as well.

Thank you for this opportunity to present our progress. I would be happy to answer any questions you may have.